

Serial No. 10/724,777
Amendment dated December 3, 2004
In Reply of Office Action date June 3, 2004

R E M A R K S

The Office Action dated June 3, 2004 has been received and its contents carefully noted.

In view of the foregoing amendments and the following representations, reconsideration and allowance are respectfully requested.

Examiner Pechhold is thanked for the courtesies extended undersigned counsel during the telephone interview of December 3, 2004. During that interview, undersigned counsel explained how Halferty et al. differed from the claimed invention. Examiner Pechhold agreed that amended claim 19 appeared to define over Halferty et al., and she withheld a final determination until she could see the written amendment. As discussed, should any outstanding formal matters or other issues remain, or should the application not be in condition for allowance, Examiner Pechhold is requested to telephone Terrence Brown to arrange a personal interview to point out the differences between the prior art of record and the claimed invention.

As to the Office Action, please note the following.

To overcome the rejection of the claims as being anticipated

-6-

opens inwardly, any material forces that are exerted against the cover will help to hold the cover closed and will prevent material stored in the tank from collecting in the manway."

It would have been readily apparent to a person having ordinary skill in the art that Halferty et al. was describing a positive pressure storage tank.

In sum, Halferty et al. would have taught directly away from

-7-